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553. \$10.00.

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As one reads these records it becomes increasingly clear that treatment of the youthful criminal in so-called reformatories is a totally inadequate, misconceived method which only tends to foster tendencies which they are supposed to combat. Vindictiveness towards criminals, certainly youthful ones, on the basis of our present concepts, is an indication that the originators of such a system have set up a strong defense against their own innate criminal tendencies. What the criminal needs is more understanding and less judgment, and to this end it is felt the author is making a distinct contribution.

These are chronicles of human beings with their problems, albeit handled under difficult circumstances and with poor judgment fostered under parental misconceptions. As one reads them, let it be with the feeling that "Except by the Grace of God, there go I."

This volume is to be recommended to judges, lawyers, social workers, student health councillors, psychiatrists, lay citizens who have taken the responsibility for supervision of this unfortunate group of our population, and to any others who have dealings with those who do not fit into the pattern of community life.

H. O. COLOMB*

MUNICIPALITIES AND THE LAW IN ACTION, edited by Charles Rhyne.

National Institute of Municipal Law Officers, Washington, 1944. Pp. 553. \$10.00.

This volume, the seventh in the series entitled *Municipalities and the Law in Action*, not only reports the proceedings of the 1943 conference of the National Institute of Municipal Law Officers, but contains in detail many subjects only summarily discussed at the meeting.

A shift in emphasis from the 1943 publication is noticeable. This shift has been from civilian defense to post-war planning. Standing at a legal nexus, the institute offers cities the opportunity to express current problems of planning in a widespread fashion and to encourage its members to cooperate in the solution of such problems. The major part of the volume consists of studies and reports on such diverse subjects as city-state and city-federal relationships, municipal finance and revenue, tort

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liability, ordinance enforcement, planning and zoning, and regulation of business in wartime.

These reports, twenty-seven in all, were prepared by special committees before the conference met and discussed at least in part there. Separate preparation of the articles has impaired somewhat the evenness of the volume. Some reports are well written; others are not. Many, such as the review of "City Revenue and Tax Problems in the Second Year of the War,"¹ appear thorough. Mr. Green and Mr. Wernick's contribution, for example, "The Philadelphia Income and Wage Tax," is a concise review of the Quaker City's effort to relieve resident taxpayers of some of the burden of municipal expense by transferring the cost of local government in part to non-residents who earn their income within the city.² The digest of unsuccessful litigation brought against the tax by varied interest associations indicates that other large metropolitan areas may profit by the Philadelphia experience to replenish shrinking income.³

On the other hand, a few of the reports are no more than cursory summaries of proposed or enacted legislation in the topic under scrutiny. In this category may be listed "Federal-City Relations" and "Ordinance Enforcement in Wartime."⁴ Conclusions reached by authors of the articles are occasionally tritely put or state the obvious, which prompts the irreverent thought that perhaps the current paper shortage is not so acute as has been reported. From a critical point of view, the introductory address of the institute's president,⁵ Mr. Horace H. Edwards, adds but little to the book. It reiterates the often made theme that right is right to the Municipal Law Officers, but wrong is merely something they do not like.

Municipalities and the Law in Action, despite shortcomings, merits wide consideration insofar as it reviews, or at least touches upon, the problems which cities must meet when peace breaks out. An estimate of the thoroughness or worth of each report is obviously impossible in a short review, and is apt to illustrate merely the reviewer's predispositions. One group of studies, however, may be considered briefly.

One interested in social questions and post-war planning is

1. P. 123.

2. P. 148.

3. Pp. 148, 152-155.

4. Pp. 176 and 241 respectively.

5. P. 12.

depressed often enough by the relation of poor housing to social problems of various types. The indirect cost in human suffering, in taxes to maintain hospitals, prisons, reformatories, and in deaths, sickness, and immorality rates is an old story. Hence, most people concede willingly enough that poor housing conditions should be eliminated. They are staggered, unfortunately, by the direct cost of rehabilitation.

Two studies, Mr. Krapohl's "The Public Housing Program for War and Peace" and Mr. Mattison's "Rehabilitation of Blighted Areas as a Post War Measure for Cities," deal with public housing: the first from the point of view of current legislation, and the second with emphasis upon slum clearance as a phase of municipal economic rehabilitation.⁶ When the twin questions of slum clearance and public housing arise, the elemental question of "how" intrudes forcibly. One thesis has been advanced cogently that slum clearance can be accomplished best by drawing off the slum population, rehousing it on low cost land at the urban fringe, and thereby facilitate the deflation of land values in the slum areas.⁷ Once the slum population is ensconced in public housing projects, wholesale acquisition of slum land for rehabilitation can follow easily and cheaply.

Opposed to this is the argument advanced by Mr. Mattison, who maintains that Congress should appropriate money for the purchase of blighted areas by municipalities. Housing projects should then be created in the downtown areas to compete with those in the more open spaces at the city's edge.⁸ Mr. Mattison contends that a wild exodus out of the blighted districts to the country will leave only a "terrific economic loss to the community as such services and facilities [fire, police, schools, and the like] have to be duplicated many times to take care of the sprawling municipality."⁹ The solvency of municipal government thus is a primary consideration. Less obvious in the report is the argument that such downtown projects constitute a handout to slum owners.

Mr. Krapohl points out that 1942-1943 marked a period of stabilization in the housing field.¹⁰ Thus consolidation of housing functions under executive order, litigation involving payments in lieu of taxes, local jurisdiction over projects, and local building

6. Pp. 283, 385.

7. Strauss, *The Seven Myths of Housing* (1944).

8. Pp. 385, 386.

9. *Ibid.*

10. P. 283.

codes are discussed in his report. However, both he and Mr. Mattison analyze at some length post-war planning with respect to rehabilitation and housing. Two proposed acts appear important. The Thomas Bill¹¹ would establish an urban redevelopment agency with authority to lend up to \$150,000,000 to municipalities for the acquisition of lands to be redeveloped or reserved for future planning. To receive money a city would establish a planning agency and prepare both master and project plans. The Wagner Act¹² proposes to authorize the National Housing Agency to make loans to cities "for the acquisition, clearing, and improvement of land in deteriorated urban areas for subsequent reconveyance by sale or lease for redevelopment by private enterprise and public improvement."¹³ Either bill is opposed in principle to the thesis recently advanced by Nathan Strauss in his interesting book, *The Seven Myths of Housing*.¹⁴

Of the proposed legislation, the Wagner Bill is more completely dissected. Mattison points out that under it the city would purchase blighted land, clear it, and lease or sell it to private builders, who would then operate in conformity with a municipal plan and its rules. In the resulting large scale developments, he finds that it is "possible to increase values . . . which not only add value to the whole neighborhood, but, likewise, are essential to the improving credit of the housing authority for subsequent operations."¹⁵ Krapohl attacks both bills for lacking a well thought out financial plan and for failing to make provision to meet "the dislocation that any real program of redevelopment will make in the housing of a substantial number of members of the community. . . ."¹⁶ In short, he argues that much more emphasis needs be placed on the provision for dwelling in urban developments than is found in either measure. Both writers, it may be added, view public housing as an integral part of the post-war employment plans.

This book will not be read widely even by lawyers. That its audience is limited, however, does not detract in the least from its value as the recorded experience of municipal legal officers seeking solution to specific problems in real communities. As the

11. Senate Bill 953, 78th Cong., 1st Sess. (1943).

12. Senate Bill 1163, 78th Cong., 1st Sess. (1943). Neither this nor the Thomas Bill has been enacted.

13. Pp. 283, 303.

14. Strauss, op. cit. supra note 7.

15. Pp. 385, 409-410.

16. Pp. 283, 304.

annual reports grow and the contents cover even a broader field, *Municipalities and the Law in Action* will come to represent a source to which lawyers and government personnel alike may turn for open discussion.

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ERRATUM

In our discussion of *State v. Erwin*, *Miami Corporation v. State*, and *Amerada Petroleum Corporation v. State Mineral Board*, which appears in 5 LOUISIANA LAW REVIEW 538 (May 1944), there is a statement to the effect that Justice Rogers had departed from his dissent in historic *State v. Erwin*. The Review and the writer wish to correct this error and to express regret at its occurrence.

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